

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JASON A. MAHE,

Plaintiff,

v.

JENNIFER DUNBAR, *et al.*,

Defendants.

Case No. 3:21-CV-00355-MMD-CLB

**ORDER TO FILE SUPPLEMENTAL
POINTS AND AUTHORITIES RE:
PLAINTIFF'S MOTION TO FILE THIRD
AMENDED COMPLAINT**

[ECF No. 41]

On April 17, 2023, Plaintiff Jason A. Mahe ("Mahe") attempted to file a third amended complaint ("TAC"). (ECF No. 39.) The TAC was filed without filing the required motion requesting seeking leave of the Court to file said pleading under LR 15-1(a). Therefore, the Court struck the filing. (ECF No. 40.) Shortly thereafter, on April 19, 2023, Mahe filed a document entitled a "motion requesting leave to file a third amended complaint". (ECF No. 41.) In the instant document, Mahe provides only one sentence that asks for leave to file a TAC and a second sentence indicating that the proposed TAC is attached. (*Id.*) This "motion" did not include a points and authorities as required by the Court's rules and orders. See LR 7-2; District of Nevada General Order 2021-5. Although the failure of a moving party to file points and authorities constitutes consent to denial of the motion under Local Rule 7-2(d), the Court will allow Mahe to supplement his motion to file a TAC, (ECF No. 41), with a proper points and authorities on or before **Monday, May 8, 2023**, to avoid any further delay in this case.

However, Mahe is reminded that even as a pro se litigant, he is obligated to follow the Court's Rules and procedures. *Muñoz v. U.S.*, 28 F.4th 973, 978 (9th Cir. 2022) (citations omitted) ("[I]t is axiomatic that pro se litigants, whatever their ability level, are subject to the same procedural requirements as other litigants").

IT IS SO ORDERED.

DATED: April 24, 2023.


UNITED STATES MAGISTRATE JUDGE